



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Date : 19/05/2022

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD). No.9617 of 2022

WEB COPY

Mohamed Aldhaf

... Petitioner/Accused No.14

Vs

State Rep.by
The Inspector of Police,
Thallakulam Police Station,
Thallakulam
Crime No.312 of 2022.

... Respondent/Complainant

For Petitioner : M/s.Anand.R, Advocate.
For Respondent : Mr.B.Nambi Selvan,
Additional Public Prosecutor

PETITION FOR BAIL Under Sec.439 of Cr.P.C.

PRAYER :-

For Bail in Crime No.312 of 2022 on the file of the respondent police.

ORDER : The Court made the following order :-

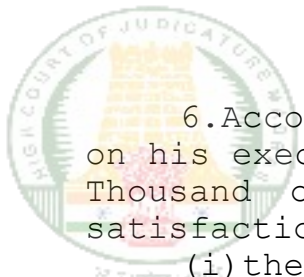
The petitioner who was arrested on 25.04.2022 for the offences under Sections 341, 294(b), 323, 307, 506(ii), 147 and 148 of IPC, in Crime No.312 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution is that due to previous enmity, the petitioner and the other accused assaulted the defacto complainant's son with weapons and he sustained injuries. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the co-accused has been released on anticipatory bail.

4.The learned Additional Public Prosecutor for the respondent police submitted that the investigation is almost completed.

5.Considering the facts and circumstances of the case, the nature of allegations levelled against the petitioner and that the petitioner is in judicial custody from 25.04.2022 and that the co-accused has been released on bail, this Court is inclined to grant bail to the petitioner.



6. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II Madurai.

(i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii) the petitioner shall report before the respondent police on every Wednesday at 10.30 a.m., until further orders.

(iii) the petitioner shall not tamper with evidence or witness;

(iv) the petitioner shall not abscond during trial;

(v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

sd/-

19/05/2022

/ TRUE COPY /

20/05/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1 THE JUDICIAL MAGISTRATE NO.II, MADURAI

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

4 THE INSPECTOR OF POLICE, THALLAKULAM POLICE STATION,
THALLAKULAM, MADURAI DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.R.ANAND, Advocate (SR-4941[I] dated 20/05/2022)

ORDER IN

CRL OP(MD) No.9617 of 2022

Date : 19/05/2022